

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

Applicants: Larosa, Christopher et al. Group Art Unit: 2662  
Application No.: 09/314,819 Examiner: Elallam, A.  
Date Filed: May 19, 1999  
Title: METHOD OF AND APPARATUS FOR ACTIVATING A SPREAD-  
SPECTRUM RADIOTELEPHONE

OCT 04 2004

## INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are for consideration by the United States Patent and Trademark Office. Pursuant to the Office waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003, copies of the reference are not submitted herewith.

I. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b)-(d): (check only one box)

- a. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing date of a first Office Action on the merits; and/or before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114. No fee or statement is required.
- b. ☐ before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. Petition fee set forth in §1.17(p) is required unless a statement under 37 C.F.R. §1.97(e) is provided.
- c. ☒ on or before payment of the issue fee. Petition fee set forth in §1.17(p) and a statement under 37 C.F.R. §1.97(e) are required.

II. ☒ STATEMENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable)

The undersigned hereby states that

- a. ☒ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or
- c. ☐ some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable


inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

III. PAYMENT OF FEES

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above-identified fee(s).  
☒ Please charge Deposit Account **502117** in the amount of \$180.00 for the above-indicated fee(s). Enclosed is a Fee Transmittal in duplicate.  
☒ If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account **502117**.  
☐ Two Copies of this paper are attached for Deposit Account charges and debits.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

Respectfully submitted,  
Larosa, Christopher et al.

  
Lawrence J. Chapa  
Attorney for Applicant(s)  
Reg. No. 39,135  
Tel. 847-523-0340

MOTOROLA, INC.  
Customer Number 20280

Enclosures: ☒ Information Disclosure  
Statement by Applicant  
☒ References  
☐ Foreign Search Report  
☐ Other:



OCT 04 2004

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>		Application Number	09/314,819
		Filing Date	May 19, 1999
		First Named Inventor	Christopher Larosa
		Group Art Unit	2662
		Examiner Name	Elallam, A.
Total Number of Pages in this Submission	33	Attorney Docket Number	CS10088

ENCLOSURES		(check all that apply)
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	<i>Lawrence Chapa</i>	Registration No. 39,135
Signature	<i>Lawrence Chapa</i>	
Date	<i>October 4, 2004</i>	

CERTIFICATE OF TRANSMITTAL/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number <u>703-872-9306</u> or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:	
Typed or printed name	June Edwards
Signature	<i>June Edwards</i>
Date	<i>October 4, 2004</i>

<b>FEE TRANSMITTAL</b> Patent fees are subject to annual revision <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>Complete if Known</b>	
		Application Number	09/314,819
		Filing Date	May 19, 1999
		First Named Inventor	Christopher Larosa
		Examiner Name	Elallam, A.
TOTAL AMOUNT OF PAYMENT		(\$) <b>180.00</b>	
Group Art Unit		2662	
Attorney Docket No.		CS10088	

<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																							
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>502117</b> Deposit Account Name <b>Motorola, Inc.</b>		<b>3. ADDITIONAL FEES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Fee</th> <th>Small Entity</th> <th>Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (limits number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> </tbody> </table>		Large Entity	Fee	Small Entity	Fee	Fee Description	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late Provisional filing	1053	130	1053	130	Non-English specification	1812	2520	1812	2520	For filing a request for ex parte Reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1480	2254	740	Extension for reply within fourth month	1255	2010	2255	1005	Extension for reply within fifth month	1401	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1510	1451	1510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1330	2453	665	Petition to revive - unintentional	1501	1330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1806	180	1806	180	Submission of IDS	8021	40	8021	40	Recording each patent assignment per property (limits number of properties)	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application	Other fee (specify) _____				
Large Entity	Fee			Small Entity	Fee	Fee Description																																																																																																																																																			
1051	130			2051	65	Surcharge - late filing fee or oath																																																																																																																																																			
1052	50			2052	25	Surcharge - late Provisional filing																																																																																																																																																			
1053	130			1053	130	Non-English specification																																																																																																																																																			
1812	2520			1812	2520	For filing a request for ex parte Reexamination																																																																																																																																																			
1804	920*			1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																			
1805	1840*			1805	1840*	Requesting publication of SIR after Examiner action																																																																																																																																																			
1251	110			2251	55	Extension for reply within first month																																																																																																																																																			
1252	420			2252	210	Extension for reply within second month																																																																																																																																																			
1253	950	2253	475	Extension for reply within third month																																																																																																																																																					
1254	1480	2254	740	Extension for reply within fourth month																																																																																																																																																					
1255	2010	2255	1005	Extension for reply within fifth month																																																																																																																																																					
1401	330	2401	165	Notice of Appeal																																																																																																																																																					
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																					
1403	290	2403	145	Request for oral hearing																																																																																																																																																					
1451	1510	1451	1510	Petition to institute a public use proceeding																																																																																																																																																					
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																					
1453	1330	2453	665	Petition to revive - unintentional																																																																																																																																																					
1501	1330	2501	665	Utility issue fee (or reissue)																																																																																																																																																					
1502	480	2502	240	Design issue fee																																																																																																																																																					
1503	640	2503	320	Plant issue fee																																																																																																																																																					
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																					
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																					
1806	180	1806	180	Submission of IDS																																																																																																																																																					
8021	40	8021	40	Recording each patent assignment per property (limits number of properties)																																																																																																																																																					
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																					
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																					
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																					
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																					
Other fee (specify) _____																																																																																																																																																									
<b>FEE CALCULATION</b>																																																																																																																																																									
<b>1. BASIC FILING FEE</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Fee</th> <th>Small Entity</th> <th>Fee</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td></tr> <tr><td>1004</td><td>780</td><td>2004</td><td>385</td><td>Reissue filing fee</td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td></tr> </tbody> </table>		Large Entity	Fee	Small Entity	Fee	Fee Paid	1001	770	2001	385	Utility filing fee	1002	340	2002	170	Design filing fee	1003	530	2003	265	Plant filing fee	1004	780	2004	385	Reissue filing fee	1005	160	2005	80	Provisional filing fee																																																																																																																										
Large Entity	Fee	Small Entity	Fee	Fee Paid																																																																																																																																																					
1001	770	2001	385	Utility filing fee																																																																																																																																																					
1002	340	2002	170	Design filing fee																																																																																																																																																					
1003	530	2003	265	Plant filing fee																																																																																																																																																					
1004	780	2004	385	Reissue filing fee																																																																																																																																																					
1005	160	2005	80	Provisional filing fee																																																																																																																																																					
SUBTOTAL (1) (\$)-0-																																																																																																																																																									
<b>2. EXTRA CLAIM FEES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Total Claims</th> <th>Previously Paid**</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>20</td> <td>3</td> <td>18</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td>86</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>280 =</td> </tr> </tbody> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Fee</th> <th>Small Entity</th> <th>Fee</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>* Reissue independent claims over original patent</td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>* Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>		Total Claims	Previously Paid**	Extra Claims	Fee from below	Fee Paid	Independent Claims	20	3	18		Multiple Dependent			86						280 =	Large Entity	Fee	Small Entity	Fee	Fee Description	1202	18	2202	9	Claims in excess of 20	1201	84	2201	42	Independent claims in excess of 3	1203	280	2203	140	Multiple dependent claim, if not paid	1204	84	2204	42	* Reissue independent claims over original patent	1205	18	2205	9	* Reissue claims in excess of 20 and over original patent																																																																																																						
Total Claims	Previously Paid**	Extra Claims	Fee from below	Fee Paid																																																																																																																																																					
Independent Claims	20	3	18																																																																																																																																																						
Multiple Dependent			86																																																																																																																																																						
				280 =																																																																																																																																																					
Large Entity	Fee	Small Entity	Fee	Fee Description																																																																																																																																																					
1202	18	2202	9	Claims in excess of 20																																																																																																																																																					
1201	84	2201	42	Independent claims in excess of 3																																																																																																																																																					
1203	280	2203	140	Multiple dependent claim, if not paid																																																																																																																																																					
1204	84	2204	42	* Reissue independent claims over original patent																																																																																																																																																					
1205	18	2205	9	* Reissue claims in excess of 20 and over original patent																																																																																																																																																					
SUBTOTAL (2) (\$)-0-																																																																																																																																																									
** or number previously paid, if greater. For Reissues, see above.																																																																																																																																																									

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Lawrence J. Chapa	Registration No.	39,135
Signature	<i>Lawrence J. Chapa</i>	Telephone	847-523-0340
		Date	October 4, 2004